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IN THE UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

REESE M. JONES,)	
)	Case No. CV-04-05357 JW (RS)
Plaintiff,)	(Related Cases: CV-06-2064 JW (RS),
)	CV-03-04518 JW (RS)
v.)	
)	APPLICATION TO
DEUTSCHE BANK, AG a corporation, et al.)	CONTINUE HEARING AND
)	[proposed] ORDER
)	
)	Hearing: February 7, 2007 at 9:30 a.m.

The United States of America respectfully requests that the Court continue the hearing on the United States' Motion for Stay of One Deposition Pending Completion of S.D.N.Y. *Stein* Criminal Tax Shelter Trial, currently scheduled for December 27, 2006, at 9:30 a.m., to February 7, 2007, at 9:30 a.m. The grounds for this request are:

1. The United States filed a Motion to Stay the Piovannetti deposition in this case pending the completion of the *Stein* criminal trial. That motion was re-scheduled for hearing on December 27, 2006, before Magistrate Judge Richard Seeborg.

2. On December 20, 2006, Judge Kaplan in the S.D.N.Y. scheduled trial in *United States v. Stein*, et al., SI 05 Crim 0888 (LAK)(S.D.N.Y.) to commence in September, 2007.

3. The United States and counsel for Plaintiff, Reese M. Jones, have conferred and agreed to continue the hearing on the government's motion to stay the Piovanetti deposition until February 7, 2007, in order to allow the parties to resolve this matter without judicial intervention. The parties believe that they can resolve this matter prior to February 7, 2007.

Accordingly, the United States respectfully requests that the Court continue the hearing on the United States' Motion to stay the Piovanetti deposition currently scheduled for December 27, 2006, at 9:30 a.m., to February 7, 2007, at 9:30 a.m.

Dated this 27th day of December, 2006.

Respectfully submitted,

KEVIN V. RYAN
United States Attorney

/s/ Cynthia Stier
CYNTHIA STIER
Assistant United States Attorney
Attorneys for the United States of America

ORDER

Pursuant to the Application by the United States of America as set forth above, and for good cause shown,

IT IS HEREBY ORDERED that the hearing date on the United States' Motion for Stay of One Deposition currently scheduled for December 27, 2006, at 9:30 a.m., is rescheduled to February 7, 2006, at 9:30 a.m.

Dated: December 27, 2006



RICHARD SEEBORG
United States Magistrate Judge_____